

1 DOUGLAS T. SLOAN, City Attorney
CITY OF FRESNO
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Attorneys for the CITY OF FRESNO

RE:

RECORDS REGARDING BODY WORN CAMERAS

**RESPONSE TO PUBLIC RECORDS
ACT REQUEST FOR DOCUMENTS
(Govt. Code §6250, et seq.)**

The City of Fresno (City) responds to a request pursuant to the California Public Records Act (Gov. Code §6250, et seq.) by the Aaron Swartz Day Police Surveillance Project, regarding information for the period of January 1, 2015 to the date of this request pertaining to body worn cameras, as follows:

Request No. 1 – Number, if any, of body worn cameras owned by this department or agency, including the manufacturer and whether a data storage package has been provided by the manufacturer: The City objects to this inquiry on grounds the request seeks information and does not seek production of an existing public record. (Gov. Code § 6253(b).) Under the California Public Records Act, the City is not required to respond to inquiries that seek only information. Without waiving this objection, the City produces potentially responsive documents attached as Exhibit A.

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1 **Request No. 2 – Any documents or correspondence during the period encompassing**
2 **this request regarding possible or planned acquisition of body worn cameras:** The City objects
3 to and will not produce records responsive to this request on the grounds it seeks disclosure of pre-
4 decisional documents or drafts. (Gov. Code § 6254(k).) Please note the City is still searching for
5 potentially responsive email records for this request. If potentially responsive email records exist,
6 the City will provide a supplemental response.

7 **Request No. 3 – Any existing or proposed usage policies regarding the use of body**
8 **worn cameras including protocols, training documents, data storage procedures and**
9 **prohibited activities:** The City objects to this request to the extent it seeks disclosure of pre-
10 decisional documents or drafts. (Gov. Code § 6254(k).) Without waiving this objection, the City
11 produces potentially responsive documents attached as Exhibit B.

12 **Request No. 4 – Any current or past litigation involving or referencing this department**
13 **or agency involving the use of body worn cameras:** The City objects to this inquiry on grounds
14 the request seeks information and does not seek production of an existing public record. (Gov. Code
15 § 6253(b).) Under the California Public Records Act, the City is not required to respond to inquiries
16 that seek only information. Without waiving this objection, the City did not locate any potentially
17 responsive documents for this request.

18 DATED: January 22, 2019.

Respectfully submitted,

DOUGLAS T. SLOAN
City Attorney

By:

FRANCINE M. KANNE
Chief Assistant City Attorney
Attorneys for CITY OF FRESNO

FMK:rm[rm/fmk]

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PROOF OF SERVICE
CCP §§ 1011, 1013, 1013a, 2015.5
FRCP 5(b)

4 STATE OF CALIFORNIA, COUNTY OF FRESNO

5 I am employed in the County of Fresno, State of California. I am over the age of 18 and not a
6 party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

7 On January 22, 2019, I served the document described as **RESPONSE TO PUBLIC**
8 **RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action by
9 placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing
10 list: ■ by placing the original ■ a true copy thereof enclosed in sealed envelopes addressed as follows:

11 Aaron Swartz Day Police Surveillance Project
12 MuckRock News
13 DEPT MR 66603
14 411A Highland Ave
15 Somerville, MA 02144-2516
16 Email: 66603-39953365@requests.muckrock.com

17 BY MAIL I deposited such envelope in the mail at Fresno, California. The envelope was mailed
18 with postage thereon fully prepaid.

19 As follows: I am "readily familiar" with the firm's practice of collection and
20 processing correspondence for mailing. Under that practice it would be deposited with
21 U.S. postal service on that same day with postage thereon fully prepaid at Fresno,
22 California in the ordinary course of business. I am aware that on motion of the party
23 served, service is presumed invalid if postal cancellation date or postage meter date is
24 more than one day after date of deposit for mailing in affidavit.

25 (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

26 (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the
27 fax number(s) shown.

28 (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an
overnight courier service for delivery to the addressee(s).

■ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic
mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on January 22, 2019, at Fresno, California.

■ (State) I declare under penalty of perjury under the laws of the State of California that the above
is true and correct.


Kimberly Hernandez